## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

§	
§	
§	
§	
§	
§	CASE NO.: 3:14-CV-00055
§	
§	
§	
§	
§	
	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$

# PROPOSED DOCKET CONTROL ORDER AFTER GRANT OF MOTION FOR NATIONWIDE CERTIFICATION AND DENIAL OF MOTION FOR DECERTIFICATION

In the event the Court grants Plaintiffs' motion for nationwide judicial notice and certifies a nationwide collective, (ECF No. 113); denies Defendants' motion to decertify the collective class, (ECF No. 107); and adopts Plaintiffs' proposed order on nationwide certification, (ECF No. 114-1), this case will be controlled by the following schedule:

### **DEADLINES**

- 1. Twenty-One (21) Days after Court Order Granting Certification and Denying Decertification: Defendants shall produce to Plaintiffs a list, in electronic, delimited, and importable format, of all potential members of the putative collective as defined above, including their names, last known addresses, telephone numbers, and email addresses (if known).
- 2. <u>Fourteen (14) Days after Defendants Produce Class List</u>: Deadline for Plaintiffs to send notice via U.S. mail and email to the nationwide class.
  - 3. <u>Sixty (60) Days after Notice Sent</u>: End of the class notice period.

4. <u>Sixty (60) Days after End of Notice Period</u>: Deadline for Defendants to produce payroll data/ time records (Project Detail Grids) of all opt-in plaintiffs for whom data was not previously produced.

5. <u>Fourteen (14) Days after Defendants Produce Payroll Data</u>: Deadline for submitting **JOINT PRETRIAL ORDER AND MOTIONS IN LIMINE**. Plaintiffs are responsible for timely filing the complete joint pretrial order. The Court will not accept separate versions of the pretrial order.

6. Twenty-one (21) Days after Joint Pretrial Order and Motions in Limine: **DOCKET CALL**. No instrument filed within 7 days of the docket call days of docket call with be considered. All pending motions may be ruled on at docket call, and the case will be set for trial if the complete joint pretrial order has been filed.

7. <u>Next Available Trial Calendar Month</u>: **JURY TRIAL**. Case is subject to being called to trial on short notice during calendar month.

Dated: February 2, 2018 Dated: February 2, 2018

NICHOLS KASTER PLLP

/s/ Rebekah L. Bailey

Rachhana T. Srey, MN Bar No.: 340133 Rebekah L. Bailey, MN Bar No.: 0389599 80 South Eighth Street

4600 IDS Center

Minneapolis, MN 55402

srey@nka.com bailey@nka.com

THE MELTON LAW FIRM, PLLC John F. Melton, TX Bar No. 24013155 2705 Bee Cave Road. Suite 220

Austin, Texas 78746

Telephone: (512) 330-0017

Fax: (512) 330-0067

Jmelton@meltonkumler.com

**DUANE MORRIS LLP** 

<u>/s/ Delia Isvoranu</u> Delia Isvoranu

CA State Bar No.: 226750 Southern District No. 2266275

One Market Plaza, Spear Tower, 22<sup>nd</sup> Floor

San Francisco, CA 94105-1127 Telephone: 415.957-3000 Facsimile: 415.957-3001

(admitted pro hac vice) disvoranu@duanemorris.com

ATTORNEYS FOR DEFENDANTS

# ATTORNEYS FOR PLAINTIFFS

SO ORDERED:	
DATE:	
	Honorable Judge Hanks, Jr.
	U.S. District Court